

**From:** [Kader, Hanady](#)  
**To:** [MacIntyre, Mark](#)  
**Subject:** FW: Draft Enf. Release : FLINT HILLS REFINERY  
**Date:** Monday, September 08, 2014 3:58:31 PM  
**Attachments:** [EPA settles with Flint Hills Resources - RCRA Penalty Draft 2 08-29-14.docx](#)

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**From:** Lowinger, Mahri  
**Sent:** Tuesday, September 02, 2014 4:13 PM  
**To:** Kader, Hanady  
**Subject:** FW: Draft Enf. Release : FLINT HILLS REFINERY

Hi Hanady,

It was good to meet you a couple weeks ago! Hope you had a fab long weekend. I worked a little bit with Mark on this end of last week. Here's some background that I shared with Mark, that he thought would be helpful for you and/or Scott before doing any interviews.

FHR plans to close its doors in North Pole. This caught a lot of media attention a few months ago. Part of the reason for the closure is dealing with the costs of contamination it claims to have inherited. I could see how readers in AK may jump to the conclusion that EPA had some sort of role in this closure and/or that EPA's regulations = economic disinvestment/job loss in AK. Here's some background:  
<http://www.adn.com/article/20140204/flint-hills-shut-north-pole-refinery-about-80-jobs-ending>

<http://www.adn.com/article/20140204/blow-fairbanks-flint-hills-says-it-will-close-down-north-pole-refinery>

Mark thought that if we got questions we could say, yes we are aware the plants closing, but for more info. they should contact FHR directly.

Please let me know if you want to do any prep work with Scott or Xianyu, and if so, I'd like to be a part of that prep call.

Hope to see you next week!

Mahri

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**From:** MacIntyre, Mark  
**Sent:** Friday, August 29, 2014 11:18 AM  
**To:** Downey, Scott; Chu, Xiangyu; Gallagher, Shirin  
**Cc:** Kader, Hanady; Lowinger, Mahri; Holsman, Marianne; Soderlund, Dianne; Philip, Jeff  
**Subject:** Draft Enf. Release : FLINT HILLS REFINERY

Since I will be out next week, Hanady will be your contact on this release, with assistance from our Anchorage Team Member, Mahri Lowinger. Mahri also has great insights on the state context with this facility....

Good Luck!

MM

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## **EPA settles with Flint Hills Resources Alaska, LLC, for hazardous waste violations at its North Pole Facility**

(Seattle, Washington – September X, 2014) The U.S. Environmental Protection Agency has reached a settlement with the Flint Hills Refinery in North Pole, Alaska, for alleged mishandling of hazardous waste generated during groundwater cleanup actions at the refinery.

On June 19, 2013, Flint Hills Refining (FHR) conducted groundwater cleanup activities at its North Pole Refinery (Facility) that generated spent groundwater pre-filters containing iron sulfide. The spent groundwater pre-filters were disposed of in an exposed, uncovered “roll off” container (dumpster) where they soon self-ignited, causing two container fires. The fires required local fire department assistance to extinguish. The settlement includes a civil penalty of \$80,000.

According to Scott Downey, manager of EPA’s Air & Hazardous Waste Compliance Unit in Seattle, waste generators are required to officially determine whether or not their waste is hazardous at the time of generation, then label it clearly and store it properly.

“In this case, two completely avoidable dumpster fires occurred because the facility’s hazardous waste was not properly handled and managed,” said EPA’s Downey. “Worker and responder safety can be jeopardized when ignitable and flammable wastes are not managed and stored in strict accordance with the law.”

In case documents, EPA alleges:

- FHR violated RCRA by failing to determine that the spent groundwater pre-filters were an ignitable and reactive hazardous waste, and then failed to manage the materials accordingly.
- FHR mishandled the filter waste by placing it in a roll off container that was not properly labeled “Hazardous Waste” and dated for storage (as required by federal law).
- FHR hazardous waste was not managed to minimize the possibility of a fire, explosion, or other mishap due to this hazardous wastes unstable nature.

The Resource Conservation and Recovery Act (RCRA), a federal law written to keep hazardous waste out of the environment and protect people from injury, requires that hazardous waste generators keep such waste in closed labeled containers that track storage time.

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For more about EPA’s work in enforcing the Resource Conservation and Recovery Act, please visit: <http://www2.epa.gov/enforcement/waste-chemical-and-cleanup-enforcement>